



PATENT
Attorney Docket No. 82001-297

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Martin HORNE)
Application No.: No. 10/057,983)
Filed: January 29, 2002)
For: SYSTEM AND METHOD FOR)
ALLOCATING THE SUPPLY OF)
CRITICAL MATERIAL COMPONENTS)
AND MANUFACTURING CAPACITY)

PETITION UNDER 37 C.F.R. §1.47(b)

Commissioner for Patents
Attn: Box: Missing Parts
Washington, D.C. 20231

Dear Sir:

It is hereby petitioned under 37 C.F.R. §1.47(b) to file the present application without the signature of the inventor Martin Horne on an Oath or Declaration. In particular, it petitioned to allow Mr. Raghavan Rajaji, Exectutive Vice-President and Chief Financial Officer for Manugistics, Inc. to sign in proxy for Mr. Horne. It is necessary at this time for Mr. Rajaji to sign in proxy for Mr. Horne to avoid abandonment of the present patent application for failing to reply to the Notice of Missing Parts issued February 21, 2002. Thus, this action is necessary to preserve the rights of the parties or to prevent irreparable damage.

Attached herewith, as Appendix A, are Affidavits in Support of the Petition under 37 C.F.R. §1.47(b) [hereafter "the Affidavit"] describing the diligent efforts made to contact the non-signing inventor, Mr. Horne, who cannot be reached to sign the Joint Declaration and Power of Attorney. The inventor either refuses to execute an application for patent or cannot be found or reached after the diligent effort described in the Affidavit. As indicated in the Affidavit, Mr. Horne's last known correspondence address is:

73 Murray Street, Richmond,
Ontario, Canada, K0A 2Z0

06/25/2002 AWONDAF1 00000001 10057983

01 FC:105
02 FC:122

130.00-OP
130.00 OP

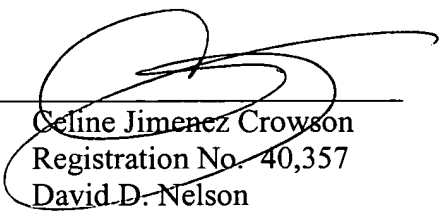
Manugistics, Inc. believes that Mr. Horne has agreed in writing to assign the invention to the company and, alternatively, that Manugistics, Inc. otherwise shows sufficient proprietary interest in the matter justifying such action may make application for patent on behalf of and as agent for the inventor. Specifically, as indicated in the Employment Agreement and Conditions for Employment, appended to the Affidavit as Attachment 1, Mr. Horne was an employee of Manugistics, Inc. During his employment period, Mr. Horne, as part of his employment duties, participated in the development of the subject matter of the present patent application. As evidenced in section 5 of the Conditions for Employment, Mr. Horne is legally obligated to disclose and assign to Manugistics, Inc., all designs, improvements, inventions, and discoveries created in the course of his employment. Section 5 further requires Mr. Horne to cooperate during and after his employment with any efforts to protect these designs, improvements, inventions, and discoveries.

Also submitted herewith is a check for the Petition fee of \$130 as specified in 37 CFR §1.17(h). Please charge any deficiencies and credit any overpayment to the Deposit Account No. 50-1359 of the undersigned.

Respectfully submitted,

Dated: June 21, 2002

By:



Celine Jimenez Crowson
Registration No. 40,357
~~David D. Nelson~~
Registration No. 47,818
Attorneys for Applicant

Hogan & Hartson, L.L.P.
555 13th St., N.W.
Washington, DC 20004
Telephone: (202) 637-5497
Customer No. 24633